

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 06-12029  
\_\_\_\_\_

D. C. Docket No. 02-03165 CV-CAP-1

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JAN 24, 2007 THOMAS K. KAHN CLERK
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DOCTOR'S HOSPITAL AUGUSTA,  
Assignee of Candace A. Murray, Deceased,

Plaintiff-Appellant,

versus

HORTON HOMES, INC.,

Defendant-Cross  
Defendant-Appellee,

ACS BENEFIT SERVICES, INC.,  
J. SMITH LANIER AND CO.  
ADMINISTRATORS, INC.,

Defendants-Cross  
Claimants.

\_\_\_\_\_  
Appeal from the United States District Court for the  
Northern District of Georgia  
\_\_\_\_\_

**(January 24, 2007)**

Before ANDERSON and BARKETT, Circuit Judges, and STROM,\* District  
Judge.

\_\_\_\_\_  
\*Honorable Lyle E. Strom, United States District Judge for the District of Nebraska, sitting by  
designation.

PER CURIAM:

After oral argument and careful consideration, we conclude that the district court is due to be affirmed because plaintiff has not proved that the decision of the plan administrator was wrong. The evidence before the decision-maker clearly indicated that Candace was not “principally dependent” on her father, the covered employee.

Accordingly, the judgment of the district court is

**AFFIRMED.**